

AMENDED IN SENATE MARCH 25, 2008

SENATE BILL

No. 1605

Introduced by Senator Cox

February 22, 2008

An act to amend Section 17262 of, and to add Sections 17072.36 and 17262.1 to, the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 1605, as amended, Cox. School facilities: new construction: funding.

The Leroy F. Greene School Facilities Act of 1998 (~~Greene Act~~) requires the State Allocation Board to allocate to applicant school districts; prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. A grant for new construction may be used for the ~~cost~~ costs of design, engineering, and plan checking, among other things.

Existing law requires the board to obtain construction plans for school buildings appropriate for school districts in various climates and geographical conditions of the state. The plans are required to meet the needs of school districts requiring school buildings of various sizes. The board is required to furnish the plans and specifications to a school district subject to the payment by the school district of the actual expense incurred by the board, but not exceeding 2% of the total cost of the construction project.

This bill would require the board to solicit bids for additional construction plans for schools and to select and purchase sets of plans in a number it determines is sufficient to address the needs of school districts located throughout the state. The board would be required to

pay a royalty to the person or entity that prepared a purchased set of plans each time a school district uses the plans and to provide the plans and specifications it obtains to school districts free of charge. *The bill would require that each set of plans purchased contain options for sustainable design elements. The board would be required to allocate new construction grant funds to a school district, if the district uses or intends to reuse a plan provided by the board, for purposes of site adaptation and purchasing design plans for any necessary portion of a school design that is unavailable in the plan provided by the board.* A school district would be prohibited from using new construction grant funds received pursuant to the ~~Greene Act~~ for costs related to the design of school buildings if a school district does not use plans obtained by the ~~State Allocation Board~~ board. *A school district would also be prohibited from using new construction grant funds to substantially alter a set of plans it receives from the board, except for purposes of site adaptation.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17072.36 is added to the Education Code,
2 to read:
3 17072.36. Notwithstanding Section 17072.35, a school district
4 that does not use plans obtained by the board pursuant to Section
5 17261 or 17262.1 shall not use new construction grant funds for
6 costs related to the design of school buildings.
7 SEC. 2. Section 17262 of the Education Code is amended to
8 read:
9 17262. A school district may request sets of the plans and
10 specifications obtained by the State Allocation Board as appropriate
11 for use in constructing a school building of the type desired by the
12 school district. The plans and specifications shall be furnished to
13 the school district free of charge.
14 SEC. 3. Section 17262.1 is added to the Education Code, to
15 read:
16 17262.1. (a) The State Allocation Board shall solicit bids for
17 construction plans for school buildings and shall select and
18 purchase sets of plans in a number the board determines is
19 sufficient to address the needs of school districts located throughout

1 the state. The board shall pay a royalty to the person or entity that
2 prepared a purchased set of plans each time a school district uses
3 the plans. *A school district may reuse the same set of plans if the*
4 *payment of architectural fees for that reuse does not exceed the*
5 *amount determined by the board under its royalty schedule. Each*
6 *set of plans purchased pursuant to this subdivision shall contain*
7 *options for sustainable design elements.*

8 (b) *The board shall allocate new construction grant funds to a*
9 *school district for both of the following purposes if the district*
10 *uses or intends to reuse a plan provided by the board pursuant to*
11 *this article:*

12 (1) *Site adaptation.*

13 (2) *Purchasing design plans for any necessary portion of a*
14 *school design that is unavailable in the plan provided by the board.*

15 (c) *A school district shall not use new construction grant funds*
16 *to substantially alter a set of plans it receives from the board*
17 *pursuant to this article, except for purposes of site adaptation.*